

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CARL EDWARD JIVES, JR.,

Petitioner,

v.

JEFFREY UTTECHT,

Respondent.

CASE NO. C12-5881 RBL/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed Petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, Respondent's Answer, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

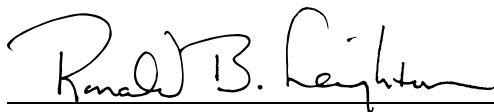
(1) The Court adopts the Report and Recommendation;

(2) Petitioner's § 2254 amended habeas petition is **denied on the merits and dismissed with prejudice.**

(3) Petitioner is **DENIED** issuance of a certificate of appealability; and

(4) The Clerk is directed to send copies of this Order to the parties and to the Hon. Karen L. Strombom.

**DATED** this 25<sup>th</sup> day of July, 2013.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE